IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6081 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA Sd/-

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

1 to 5 No

RAYMON GLUES & CHEMICALS

Versus

WORKMEN EMPLOYEE OF THE KHEDA JILLA FACTORY KAMDAR UNION

Appearance:

1. Special Civil Application No. 6081 of 1985

MR DD VYAS for Petitioner No. 1

MR TR MISHRA for Respondent No. 1

CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 21/03/2002

ORAL JUDGEMENT

1. Learned senior counsel Mr.D.D.Vyas appearing for the petitioner fairly conceded that in view of the impugned award made in the year 1985 having been fully

complied by now and no interim relief staying the operation of the same having been granted at any stage, the petition has practically become infructuous except for the purpose of challenging the classification of the workmen as prescribed in the award. As far as the classification and categorization of the workmen is concerned, it was also fairly conceded that, with the passage of time of about 17 years after the award, the basic facts, the seniority of the workmen concerned as also the technology applied in the industry of the petitioner would have undergone a sea-change and an altogether different kind of categorization or classification may be required. If that has not happened so far, the petitioner would obviously be at liberty to initiate appropriate action for re-classification or re-categorization of the workmen in accordance with law. With liberty to do so, the petition is requested to be disposed as having become infructuous and, accordingly, the same is disposed with no order as to costs. Rule is discharged.

Sd/-

(D.H.Waghela, J.)

(KMG Thilake)